



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------|------------------|
| 09/913,487 | 11/21/2001 | Hans-Georg Baumgarten | 1454.1086/RAG | 2500 |

21171 7590 06/15/2005

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

| |
|----------|
| EXAMINER |
|----------|

SINGH, DALIP K

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2676

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/913,487

Applicant(s)

BAUMGARTEN ET AL.

Examiner

Dalip K. Singh

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-29 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 16-29 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to applicant's amendments dated February 8, 2005 in response to PTO Office Action dated November 8, 2004.
2. Applicant's arguments with respect to claims 16-29 have been considered but are not persuasive.
3. With respect to applicant's argument to claim 16 that, "Smutek et al. does not suggest the administration record storing at least one parameter which determines how the digital image is modified to obtain the mapping object or the use of this in determining an index", applicant's attention is drawn to Smutek et al. col. 4, lines 60-67 wherein "the index header includes such information as the source of the digitized information input, the sampling density, the degree of lightness, **and the encoding or compression scheme**". Smutek et al. is therefore disclosing how the digital image is encoded or compressed which is similarly disclosed in the instant claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 16-29 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,553,206 to Smutek et al.
 - a. Regarding claim 16, Smutek et al. **discloses** bulk memory 12 which stores compressed images and from which they are retrieved for display and these images are compressed; the compressed image information is stored in the bulk memory 12 (col. 3,

Art Unit: 2676

lines 55-68). Mapping of the mapping object as per the claim limitation is similarly disclosed "...Each such block is identified by an image or text identification called a block reference number...each image that is...compressed for storage and subsequent retrieval...this record includes...an Index...The Index includes an index which indicates where the compressed image information...are stored in memory...the index header includes...information as the source of the digitized information...the sampling density, the degree of lightness, and the encoding or compression scheme...col. 4, lines 47-68". Smutek et al. further **discloses** having at least one parameter (...The Index includes an index which indicates where the compressed image information...are stored in memory...col. 4, lines 53-67; col. 5, lines 1-5) which determines a mapping of the mapping object.

b. Regarding claim 17, Smutek et al. **discloses** digital image data being modified by a plurality of processes (...the system...includes...which is used to scan and digitize images...col. 3, lines 62-68...the index header includes such information...the encoding...compression scheme...col. 4, lines 55-67).

c. Regarding claim 18, Smutek et al. **discloses** a uniquely defined index table structure for searching graphic data at high speed (...each block is identified...in addition each digitized and stored image...has a separately stored administrative record...col. 4, lines 55-65).

d. Regarding claim(s) 19 and 20, Smutek et al. **discloses** both an index stored with an entry address (...each such block is identified by...a block reference number which is essentially a logical address of the...coded data ...col. 4, lines 55-68) as well accessing the index (...the index includes an index which indicates where the compressed image information are stored in memory...col. 4, lines 55-68; col. 5, lines 1-5) for the mapping object in the memory.

Art Unit: 2676

- e. Regarding claim 21, Smutek et al. **discloses** both compressing and storage of image data (col. 3, lines 40-68).
- f. Regarding claim 22, it is similar in scope to claim 16 above and is rejected under the same rationale.
- g. Regarding claim 23, it is similar in scope to claim 17 above and is rejected under the same rationale .
- h. Regarding claim 24, Smutek et al. **discloses** indexes being stored by the system in the memory, so the proper image or text identity may be constructed (col. 9, lines 55-60).
- i. Regarding claim 25, Smutek et al. **discloses** mapping object including information (...in storing compressed image...the system creates an Image Index which is used to store addressing information...stored in the main memory...col. 9, lines 41-45).
- j. Regarding claim 26, Smutek et al. **discloses** mapping object including another digital image (...in storing text or compressed image the system creates an Image index which is used to store addressing information identifying where the compressed image information is actually stored in the memory...col. 9, lines 40-45).
- k. Regarding claim 27, Smutek et al. **discloses** wherein at least one parameter is a specific variable for influencing image data of the predefined digital image (...the third block segment 53, entitled number of lines stored in image data block, contains a number indicating the number of scan lines stored within the 2K byte block of memory...col. 12, lines 8-11).
- l. Regarding claim 28, Smutek et al. **discloses** a memory to store the mapping object (bulk memory 12, Fig. 1); a processor unit (processor 11, Fig. 1) to determine to retrieve the mapping object by reference to an index when a digital image is modified. Mapping of the mapping object as per the claim limitation is similarly disclosed "...Each

Art Unit: 2676

such block is identified by an image or text identification called a block reference number...each image that is...compressed for storage and subsequent retrieval...this record includes...an Index...The Index includes an index which indicates where the compressed image information...are stored in memory...col. 4, lines 47-68". Smutek et al. further **discloses** having at least one parameter (...block reference number, which is essentially a logical address of the block...the index header includes such information as the source of the digitized information input, the sampling density...the encoding or compression scheme...col. 4, lines 53-67) which determines a mapping of the mapping object.

m. Regarding claim 29, it is similar in scope to claim 22 above and is rejected under the same rationale.

Conclusion

6. The following references made of record but not relied upon are considered pertinent to the instant application.

U.S. Pat. No. 5,325,297 to Bird et al. (storing and retrieving data representing textual information, and compressed data representing images)

U.S. Pat. No. 5,781,773 to Vanderpool et al. (transformation and storage of data associated with objects)

U.S. Pat. No. 5,974,421 to Krishnaswamy et al. (data processing and cache-efficient object loader)

U.S. Pat. No. 6,230,168 B1 to Unger et al. (information storage and retrieval)

U.S. Patent No. 6,389,460 B1 to Stewart et al. (information storage and accelerated retrieval of objects from an object storage device)

7. Applicant's amendment presented and the accompanying arguments are not persuasive. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2676

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Dalip K. Singh** whose telephone number is **(571) 272-7792**.

The examiner can normally be reached on Mon-Friday (10:30AM-6:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Ulka Chauhan**, can be reached at **(571) 272-7782**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dalip K. Singh

Examiner, Art Unit 2676

dks

June 13, 2005

A handwritten signature in black ink, appearing to read 'Kee M. Tung', with a long, sweeping horizontal stroke extending to the right.

Kee M. Tung
Primary Examiner